

11/05/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-24-0499-TERYAN ARTUR & ARMAN:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce building separation; and **2)** reduce and eliminate the rear setback for existing accessory structures in conjunction with an existing single-family residence on 0.27 acres in an RS5.2 (Residential Single-Family 5.2) Zone.

Generally located on the south side of Twain Avenue, 230 feet east of Barrelwood Drive within Spring Valley. JJ/my/kh (For possible action)

RELATED INFORMATION:

APN:

163-17-311-025

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Reduce the separation from an existing accessory structure (patio cover) to an existing single-family residence to 5 feet where 6 feet is required per Section 30.02.04B (a 17% reduction).
- b. Reduce the separation from an existing accessory structure (pool equipment cover) to an existing accessory structure (patio cover) to 2.5 feet where 6 feet is required per Section 30.02.04B (a 59% reduction).
2. a. Reduce the rear setback for an existing accessory structure (patio cover) to 1 foot where 5 feet is required per Section 30.02.04B (an 80% reduction).
- b. Eliminate the rear setback for an existing accessory structure (pool equipment cover) where 5 feet is required per Section 30.02.04B (a 100% reduction).

LAND USE PLAN:

SPRING VALLEY - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 3724 Emerald Bay Circle
- Site Acreage: 0.27
- Project Type: Single-family residential (accessory structures)
- Number of Stories: 1 (accessory structures)
- Building Height (feet): 9 (patio cover)/6.5 (pool equipment cover)

Site Plans

The plans depict an existing single-family home that is accessed from Emerald Bay Circle. There is currently an existing patio cover located in the northwest section of the property. The patio cover is 32.5 feet long by 10 feet wide, and is 13 inches from the north (rear) property line, and 5 feet from the house. There is also an existing pool equipment cover located directly west of the patio cover. The pool equipment cover is 2.5 feet from the existing patio cover and is zero feet from the rear property line.

Landscaping

Landscaping is not a part of this request.

Elevations

The plans depict the patio cover as being 9 feet tall and the pool equipment cover as being 6.5 feet tall. Photos of the patio cover provided by the applicant show the patio cover as being made of stucco columns and metal roofing. Additionally, the pool equipment cover is made of CMU block with a wooden roof.

Applicant’s Justification

The applicant wants the setback reduced because they have provided fire resistant materials in construction.

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, South, East, & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS5.2	Single-family residential

Clark County Public Response Office (CCPRO)

CE24-19003 is an active Code Enforcement violation for building without a permit.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

Staff finds that the requested separation and setback reductions for the accessory structures are self-imposed hardships that would have been prevented if the applicant sought information

regarding the structures prior to constructing them. There is no justification to support the requests. Therefore, staff recommends denial.

Staff Recommendation

Denial.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- 1 year to complete the building permit and inspection process or the application will expire unless extended with approval of an extension of time.
- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Spring Valley - approval.

APPROVALS:

PROTESTS:

APPLICANT: ARMAN TERYAN

CONTACT: ARMAN TERYAN, 3724 EMERALD BAY CIRCLE, LAS VEGAS, NV 89147